THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.685 of 2006

Dated: 26-09-2006

Between:

Mulakalapalli Anantha Kasi Visweswara Rao and others.

..... PETITIONERS

AND

The Government of A.P., Hyderabad, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.685 of 2006

ORDER:

The petitioners, who are six in number, filed the instant writ petition seeking a writ of Mandamus directing the official respondents to grant pattadar passbooks (PPBs) to their favour in respect of the land comprised in survey Nos.88, 89/1 and 89/2 situated at Ponduru Mandal, Srikakulam District.

In the affidavit accompanying the writ petition, the petitioners allege that they were granted ryotwari pattas under Section 15(1) of the Andhra Pradesh (Andhra Area) Estates (Abolition and Conversion into Ryotwari) Act, 1948, that they also filed declarations under the provisions of the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 and in spite of the same, without issuing PPBs, the Tahsildar issued D form pattas in favour of respondent Nos.6 to 22.

In the counter-affidavit filed by the District Collector, respondent No.2 herein, it is admitted that the settlement officer conducted detailed enquiry in S.R.No.15(1)178/67 and by order dated 28-05-1974, allowed the claim of petitioner Nos.1 to 3. It is also stated that though petitioner Nos.4 to 6 were denied the ryotwari pattas, they filed appeal before the Estate Abolition Tribunal, Srikakulam, and by order dated 24-04-1976, their claim was allowed. However, the Tahsildar granted D form pattas to respondent Nos.6 to 22 in respect of the subject land considering the same as Banjar. Subsequently when D form patta holders (respondent Nos.6 to 22) failed to cultivate the land, after conducting enquiry, pattas granted in their favour were cancelled. Therefore, respondent No.2 states that after conducting necessary enquiry under the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, necessary steps will be taken to issue PPBs to the petitioners.

In view of the counter averments, there is no much scope for adjudication in the writ petition. It appears that the petitioners have approached this Court in great haste even their claim for PPBs is pending. Therefore, the petitioners may approach the Mandal Revenue Officer, Ponduru, with a copy of this order requesting for issuance of PPBs. Except making such observation, no relief can be granted in this writ petition.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

26th September, 2006

Note:

Office to dispatch a copy of this order in one week.

B/o
ghn